

FILE NO.: A32213-PCT-USA 071800.0117
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Brieden et al.
Serial No. : 09/214,679
Filed : December 30, 1999
For : METHOD OF PREPARING (S)- OR (R)
-3, 3, 3-TRIFLUORO-2-HYDROXY-2-
METHYLPROPRIONIC ACID

Examiner: Rao, M.
Group Art Unit: 1652

AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

On March 3, 2004, in a telephonic interview with the Examiner, the status of the claims pending in the above identified patent application was discussed. The Examiner indicated that rejection of claims 36 and 40 would be withdrawn if reference to the microorganism *Rhodococcus* was removed from the claims. To expedite the allowance of claims, Applicants have amended the claims to remove reference to the microorganism *Rhodococcus*. Applicants have amended the claims, without prejudice, to their right to pursue the subject matter encompassed by claims directed to microorganisms of the genus *Rhodococcus* in a later filed application.